

# PIPESTONE CREEK GAME FARM EXPANSION DECISION DOCUMENT

January 25, 2000

## Game Farm Application and MEPA Review

Montana Fish, Wildlife & Parks (FWP) received an application for expansion of the Pipestone Creek Game Farm on September 14, 1999. The application was prepared by Paul and Shannon Smith. FWP accepted the application as complete on October 12, 1999 and initiated a 120-day review.

The applicants propose to expand their existing 23-acre facility by adding three acres consisting of four pens. The existing facility is licensed for both elk and deer, but currently contains only elk. The facility is located approximately 2.5 miles west of Whitehall, south of Pipestone Creek. The facility provides breeding stock, meat, antlers and trophy sales.

A Draft Environmental Assessment (EA) was prepared pursuant to the Montana Environmental Policy Act (MEPA) and the alternative livestock statutes and distributed for public review on December 15, 1999. Comments on the Draft EA were accepted through January 12, 2000.

Three errors or omissions to the Draft EA were identified. They are:

The application for expansion and the Draft EA indicated 75 to 100 elk at the Pipestone facility. This number was intended to include elk, which belong to the Smith's at another facility in the state, and does not reflect a net increase in elk at the Pipestone facility. Therefore, the number of elk at the facility will remain at their current license level (30 cows with offspring, 30 bulls).

The Draft EA indicates that the Pipestone Creek Game Farm provides trophy sales. While the facility does sell animals to this market, the animals are not killed at the facility, nor are the Smith's contemplating this activity at their facility. Shooting elk at the facility would require analysis and approval of FWP.

A waiver is necessary to build the expansion from the proposed solid wood design (ARM 12.6.1544). Because the proposed construction does not adhere to the fencing requirements of ARM 12.6.1503A, the applicants must submit a detailed plan and explanation of why an alternate design is necessary.

Jefferson

FWP has reviewed and responded to the public comments (below) and determined that the Draft EA addressed the issues they raised. The Draft EA will, therefore, serve as the Final EA.

### **Summary of Public Comments and FWP Responses**

Three written comments to the Draft EA were received. Public comments are considered substantive if they relate to inadequacies or inaccuracies in the analysis or methodologies used in the Draft EA, or identify new impacts or recommend reasonable new alternatives or mitigation measures. Comments, which express personal preferences or opinions on the proposal, rather than on the evaluation itself are included, but not specifically addressed. Copies of public comments are available upon request.

#### **Letter No. 1.**

**Issue:** Chronic Wasting Disease (CWD) is poorly understood. Double fences and a longer quarantine should be imposed on alternative livestock facilities.

**Response:** Chronic Wasting Disease is indeed poorly understood with regard to how the infection is transmitted. Diagnosis is further complicated by the lack of a live-animal test. CWD was first diagnosed in Montana in the fall of 1999. Since being confirmed, FWP and Department of Livestock (DOL) depopulated the alternative livestock where the isolation took place and destroyed all handling/feeding equipment that may have in contact with infected animals. Fences around the facility will be maintained at least until June of 2001 to prevent the ingress of wild animals. Another facility that obtained animals from the depopulated facility is under long-term quarantine for CWD. All alternative livestock that die or are killed within Montana are subject to mandatory CWD testing, at the owner's expense. Import regulations also require that any alternative livestock coming into Montana come from a CWD free facility, and the facility must have been monitored for the disease for a minimum of 2 years.

The above measures are the strongest measures possible under current laws governing alternative livestock operations in Montana. Some measures, such as increased surveillance, were the result of CWD being confirmed in Montana. Alternative livestock laws and regulations are currently being reviewed to see if they adequately address Chronic Wasting Disease. FWP and DOL are responsible for creating and enforcing the rules that govern alternative livestock facilities and animal health. The Legislature provides the authority for both agencies.

#### **Letter No. 2**

**Issue:** The game farm is too close to native elk winter range and may spread disease.

**Response:** Native elk winter range is approximately 2 airline miles west of the game farm facility. The area surrounding the facility is not considered occupied elk habitat at any time during the year, although 3 elk (1 cow, 2 bulls) have been documented in the

area since the original facility was built over seven years ago. Lack of topographic relief, abundant native winter range and intensive farming likely preclude the area ever being occupied by more than transient elk. The proposed 3-acre or 13%, expansion is to be constructed out of solid wood windbreak to isolate bull elk from other bulls in the facility. As designed, the facility should also serve to prevent nose-to-nose contact with a wild elk in the rare case that one is present.

Letter No. 3

**Issue:** No known historic or archaeological sites are within the proposed game farm expansion.

**Response:** Comment noted.


**Proposed Decision**

Based upon our review of the EA, the alternative livestock license application file and the information listed below, FWP has determined that the expansion may be constructed. Use of the expansion area is contingent upon approval of fence design, construction and adherence to stipulations listed below. The licensees will have two years from the date of this approval to complete fence construction as submitted in the application. Changes from the application must be approved by FWP prior to implementing any modifications.

Licensees must be in compliance with all alternative livestock statutes, rules and regulations of Montana Fish, Wildlife & Parks and Department of Livestock. Current regulations are attached for the applicant's information, but it is the licensees' responsibility to keep up with any changes in laws or regulations.

**Required License Stipulations**

1. Perimeter fences must be 9 feet in height. This stipulation may be waived provided no deer are placed in expansion pens.
2. Feed bunks and water troughs must be elevated.
3. If runoff occurs beyond exterior fencing, soil berms must be constructed to contain such runoff and effluent transport.

  
\_\_\_\_\_  
Patrick J. Flowers  
Regional Supervisor

1/28/00  
Date

**DRAFT**

**ENVIRONMENTAL  
ASSESSMENT**

**Pipestone Creek Game Farm Expansion**

**Montana Fish, Wildlife & Parks  
Butte Area Resource Office  
1820 Meadowlark  
Butte, MT 59701**

**December 15, 1999**

# MEPA/NEPA/HB495 CHECKLIST

## PART I. PROPOSED ACTION DESCRIPTION

1. Name of Project: Pipestone Creek Game Farm Expansion

Date of Acceptance of Completed Application: October 8, 1999

2. Agency Authority for the Proposed Action: Montana Fish, Wildlife & Parks authority to regulate game farms is contained in sections 87-4-406 through 87-4-424, MCA and ARM 12.6.1501 through 12.6.1519.

3. Name, Address and Phone Number of Applicant(s):

Paul & Shannon Smith  
162 Highway 2 West  
Whitehall, MT 59759

4. If Applicable:

Estimated Construction/Commencement Date Winter 1999/2000

Estimated Completion Date Fall 2000

Is this an application for expansion of an existing facility or is a future expansion contemplated? This is an application to expand an existing facility.

5. Location Affected by Proposed Action (county, range and township)

Jefferson County  
Township 2 North, Range 5 West, SE ¼ Section 36

6. Project Size: Estimate the number of acres that would be directly affected that are currently:

	Acres		Acres
(a) Developed:		(d) Floodplain .....	_____
residential .....	_____		
industrial .....	_____	(e) Productive:	
		Irrigated cropland .....	_____
(b) Open Space/Woodlands/Recreation.....	_____	dry cropland .....	<u>3</u>
		Forestry.....	_____
(c) Wetlands/Riparian Areas.....	_____	Rangeland .....	_____
		Other .....	_____

7. Map/site plan: attach an original 8 1/2" x 11" or larger section of the most recent USGS 7.5' series topographic map showing the location and boundaries of the area that would be affected by the proposed action. A different map scale may be substituted if more appropriate or if required by agency rule. If available, a site plan should also be attached.

See map, page 4.

8. Listing of any other Local, State or Federal agency that has overlapping or additional jurisdiction.

(a) Permits:

<u>Agency Name</u>	<u>Permit</u>	<u>Date Filed/#</u>
Department of Livestock	Quarantine/Handling Facility	4/97

(b) Funding:

<u>Agency Name</u>	<u>Funding Amount</u>
Fish, Wildlife & Parks	\$200 application fee

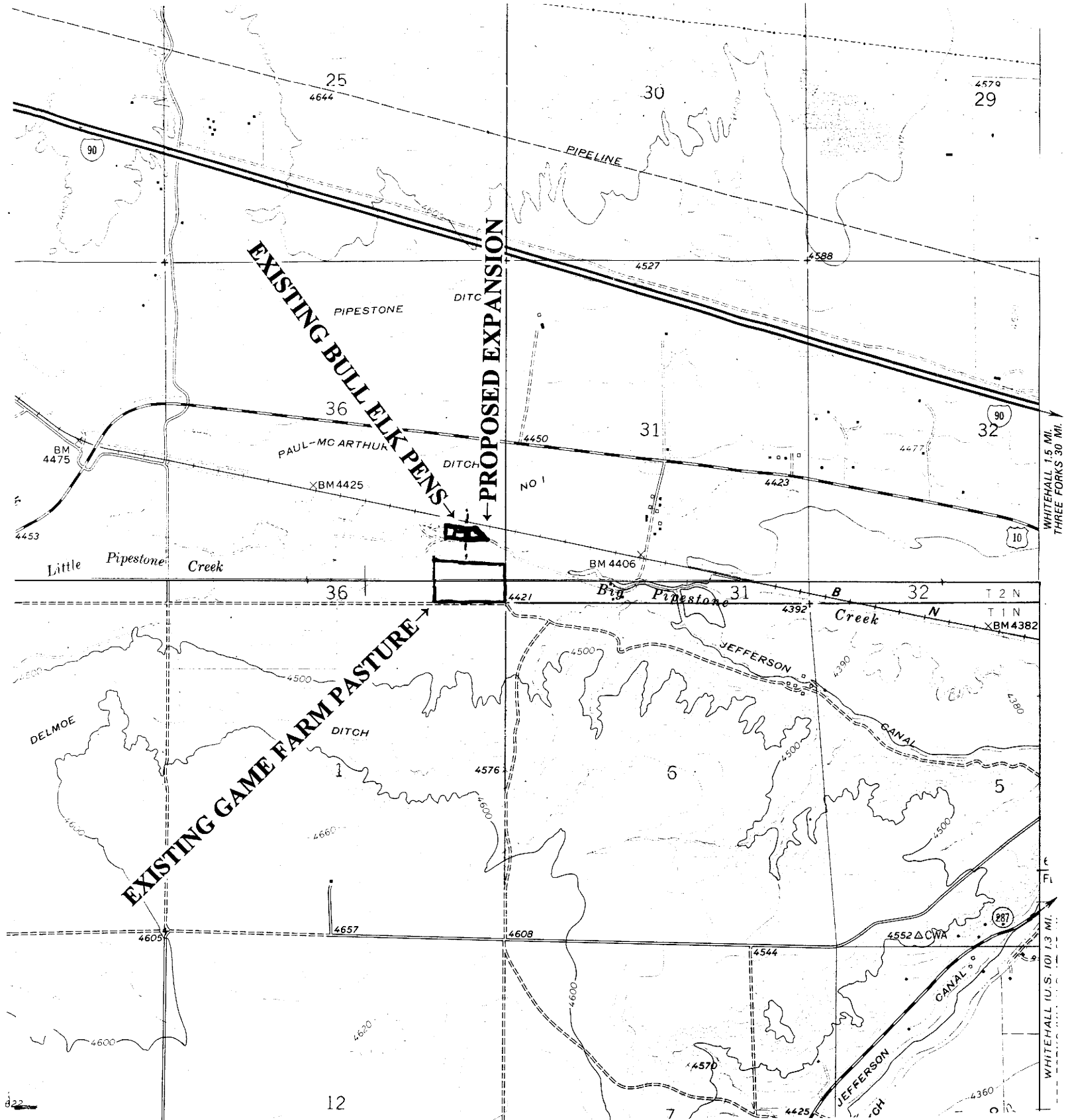
(c) Other Overlapping or Additional Jurisdictional Responsibilities:

<u>Agency Name</u>	<u>Type of Responsibility</u>
Montana Department of Livestock	disease control
Montana Depart of Environmental Quality (DEQ)	water and air quality, waste management
Montana State Historical Preservation Office (SHPO)	cultural resources

9. Narrative summary of the proposed action or project including the benefits and purpose of the proposed action:

The proposed action is to expand an existing 23 acre game farm operation by 3 acres. The game farm is currently licensed to hold elk and deer, but currently contains only elk. At maximum capacity, the facility could hold 75 to 100 elk and 10 to 20 deer. Elk are currently utilized for breeding stock, meat, antlers and trophy sales. Construction would consist of solid wood windbreak, eight to nine feet in height. Deer would be excluded from the expansion if fences are under nine feet in height. The expansion would allow for segregation and management of male elk within the facility.

**SITE MAP**  
**PIPESTONE CREEK GAME FARM EXPANSION**  
Township 2 North, Range 5 West, Section 36



## PART II. ENVIRONMENTAL REVIEW

### 1. Evaluation of the impacts of the Proposed Action including secondary and cumulative impacts on the Physical and Human Environment.

#### A. PHYSICAL ENVIRONMENT

1. <u>LAND RESOURCES</u> Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated*	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. **Soil instability or changes in geologic substructure?		X				
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil which would reduce productivity or fertility?			X		YES	1b
c. **Destruction, covering or modification of any unique geologic or physical features?		X				
d. Changes in siltation, deposition or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?		X				
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		X				
f. Other:						

**Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):**

1b. **Proposed Action:** The objective of the proposed action is to reduce stocking density of bull elk in the existing pens, and the additional pens could be managed to preserve vegetative cover and soil stability. The area is currently used to service the existing game farm and for farm storage and has little vegetative cover due to disturbance and poor quality, sandy soils.

**No Action:** No impact.

2. <u>AIR</u> Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated*	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. **Emission of air pollutants or deterioration of ambient air quality? (also see 13 (c))		X				
b. Creation of objectionable odors?		X				
c. Alteration of air movement, moisture, or temperature patterns or any change in climate, either locally or regionally?		X				
d. Adverse effects on vegetation, including crops, due to increased emissions of pollutants?		X				
e. Other:						

**Narrative Description and Evaluation of the Cumulative and Secondary Effects on Air Resources (Attach additional pages of narrative if needed):**

- \* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.
- \*\* Include a narrative description addressing the items identified in 12.8.604-1a (ARM)
- \*\*\* Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.
- \*\*\*\* Include a discussion about the issue in the EA narrative and include documentation if it will be useful.



3. <u>WATER</u> Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated*	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. *Discharge into surface water or any alteration of surface water quality including but not limited to temperature, dissolved oxygen or turbidity?		X				
b. Changes in drainage patterns or the rate and amount of surface runoff?		X				
c. Alteration of the course or magnitude of floodwater or other flows?		X				
d. Changes in the amount of surface water in any water body or creation of a new water body?		X				
e. Exposure of people or property to water related hazards such as flooding?		X				
f. Changes in the quality of groundwater?		X				
g. Changes in the quantity of groundwater?		X				
h. Increase in risk of contamination of surface or groundwater?			X		YES	3(h)
i. Effects on any existing water right or reservation?		X				
j. Effects on other water users as a result of any alteration in surface or groundwater quality?		X				
k. Effects on other users as a result of any alteration in surface or groundwater quantity?		X				
l. Other:						

**Narrative Description and Evaluation of the Cumulative and Secondary Effects on Water Resources (Attach additional pages of narrative if needed):**

3h. Fecal matter and urine from domestic elk may have a minor effect on surface water during periods of snowmelt or heavy precipitation events. The proposed action poses no threat to Pipestone Creek or other bodies of water. Under the stipulations of the original game farm license, soil berms would be constructed if run off containing fecal matter or urine occurs beyond the exterior fencing. The Montana Department of Environmental Quality (DEQ) may require a Concentrated Animal Feeding Operation (CAFO) permit if animal waste discharge or stocking rates are excessive.

\* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.

Include a narrative description addressing the items identified in 12.8.604-1a (ARM)

Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

\*\*\*\* Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

4. <u>VEGETATION</u>	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
Will the proposed action result in:						
a. Changes in the diversity, productivity or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?			X		YES	4(a)
b. Alteration of a plant community?			X		YES	4(a)
c. Adverse effects on any unique, rare, threatened, or endangered species?		X				
d. Reduction in acreage or productivity of any agricultural land?		X				
e. Establishment or spread of noxious weeds?			X		YES	4(e)
f. Other:						

**Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):**

4a. **Proposed Action:** Several cottonwood trees that could effect the integrity of the perimeter fence will have to be removed prior to FWP approval of the facility. The expansion area is sparsely vegetated due to human disturbance and poor quality soils. Vegetative cover in the expansion area will be dependent on stocking density, supplemental feeding and rotation of game farm stock.

**No Action:** No Impact

4e. **Proposed Action and No Action Alternative:** Noxious weeds such as Spotted Knapweed, Leafy Spurge and Dalmation Toadflax occur in places throughout Jefferson County and are a threat to infest many more acres, particularly those areas bisected by well traveled roads or water ways with upstream infestations. The area proposed for the game farm expansion is not infested with any noxious weeds, but under any scenario the parcel has the potential to become infested with weeds.

<b>** 5. FISH/WILDLIFE</b>	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
Will the proposed action result in:						
a. Deterioration of critical fish or wildlife habitat?		X				
b. Changes in the diversity or abundance of game animals or bird species?		X				
c. Changes in the diversity or abundance of nongame species?		X				
d. Introduction of new species into an area?		X				
e. Creation of a barrier to the migration or movement of animals?		X				
f. Adverse effects on any unique, rare, threatened, or endangered species?		X				
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest or other human activity)?			X		YES	5(g)
h. Increase risk of contact between game farm animals and wild game?			X		YES	5(g)
i. Increased risk to wildlife health from disease?			X		YES	5(g)

\* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.

\*\* Include a narrative description addressing the items identified in 12.8.604-1a (ARM)

\*\*\* Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

\*\*\*\* Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

**Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):**

5g. **Proposed Action:** Wildlife, including elk, deer and moose would be excluded from 3 acres of rangeland used to service the existing game farm and other farm operations. The area immediately surrounding the game farm provides natural habitat for white-tailed and mule deer. The area is not considered either moose or elk habitat, although both are occasionally seen in the vicinity. A wild cow elk was tranquilized and removed to another location early in 1999 after spending seven months outside the game farm. Two other bull elk were in the vicinity of the game farm (< 1 mile) during the late summer of 1998, but did not come into contact with game farm animals. These elk left the area on their own accord. Moose from the Highland and Boulder Mountains occasionally are seen in Pipestone Creek, but have not been seen in the vicinity of the game farm. Wild elk populations occur about 2 airline miles west of the game farm, but lack of topographic relief and intensive crop production likely preclude the establishment of more than an occasional, transient wild elk in the vicinity of the game farm.

The threats of increased contact, stress and disease transmission already exist at the current game farm facility. A 3 acre, or 13%, expansion could increase these threats at some level, but the exact amount is impossible to determine. The proposed solid fence design will reduce the probability of wild elk or other wildlife coming in direct contact with bull elk in the facility to the lowest level possible.

**No Action:** No impact.

## B. HUMAN ENVIRONMENT

6. <u>NOISE/ELECTRICAL EFFECTS</u> Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. Increases in existing noise levels?			X		YES	6(a)
b. Exposure of people to serve or nuisance noise levels?		X				
c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property?		X				
d. Interference with radio or television reception and operation?		X				
e. Other:						

**Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):**

6a. **Proposed Action:** Construction of the proposed expansion will result in a short-term increase in noise levels, but increased noises will be confined to the Smith property. Bull elk within the facility will vocalize (bugle) during the mating season, but again these noises will be confined to the Smith property.

**No Action:** No impact

\* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.

Include a narrative description addressing the items identified in 12.8.604-1a (ARM)

Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

\*\*\*\* Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

7. <u>LAND USE</u>	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
Will the proposed action result in:						
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?		X				
b. Conflicted with a designated natural area or area of unusual scientific or educational importance?		X				
c. Conflict with any existing land use whose presence would constrain or potentially prohibit the proposed action?		X				
d. Adverse effects on or relocation of residences?		X				
e. Other:						

**Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):**

8. <u>RISK/HEALTH HAZARDS</u>	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
Will the proposed action result in:						
a. Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption?		X				
b. Affect an existing emergency response or emergency evacuation plan or create a need for a new plan?		X				
c. Creation of any human health hazard or potential hazard?		X				
d. Other:						

**Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):**

- \* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.
- \*\* Include a narrative description addressing the items identified in 12.8.604-1a (ARM)
- \*\*\* Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.
- \*\*\*\* Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

9. <u>COMMUNITY IMPACT</u>	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
Will the proposed action result in:						
a. Alteration of the location, distribution, density, or growth rate of the human population of an area?		X				
b. Alteration of the social structure of a community?		X				
c. Alteration of the level or distribution of employment or community or personal income?		X				
d. Changes in industrial or commercial activity?		X				
e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?		X				
f. Other:						

**Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):**

10. <u>PUBLIC SERVICES/TAXES/UTILITIES</u>	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
Will the proposed action result in:						
a. Will the proposed action have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? If any, specify:			X		No	10(a)
b. Will the proposed action have an effect upon the local or state tax base and revenues?		X				
c. Will the proposed action result in a need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?		X				
d. Will the proposed action result in increased used of any energy source?		X				
e. Other:						

**Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):**

**10a. Proposed Action:** FWP will experience a major short-term increase in work load associated with the application for expansion and inspection of new construction. Through the construction phase of the proposed action, the increase in agency expenditures is estimated at \$750 to \$1000. After construction, increased costs of the proposal are restricted to annual monitoring and administrative duties, which are minimal above those duties required by the existing facility.

**No Action:** Denial of the proposed expansion would save work time and expenses associated with inspecting the new facility following construction. An Environment Assessment or an Environmental Impact Statement detailing findings of significant impacts that cannot be mitigated would be required to deny the proposed expansion.

\* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.

Include a narrative description addressing the items identified in 12.8.604-1a (ARM)

Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

\*\*\*\* Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

<b>** 11. AESTHETICS/RECREATION</b>  Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?		X				
b. Alteration of the aesthetic character of a community or neighborhood?		X				
c. **Alteration of the quality or quantity of recreational/tourism opportunities and settings? (Attach Tourism Report)		X				
d. Other:						

**Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):**

<b>12. CULTURAL/HISTORICAL RESOURCES</b>  Will the proposed action result in:	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
a. **Destruction or alteration of any site, structure or object of prehistoric historic, or paleontological importance?	X				YES	12(a)
b. Physical change that would affect unique cultural values?		X				
c. Effects on existing religious or sacred uses of a site or area?		X				
d. Other:						

**Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):**

12a. Proposed Action: No obvious archeological artifacts occur on the surface of the proposed expansion area. Significant prehistoric artifacts have been discovered several miles north of the Smith property, in the Boulder Mountains, on U.S. Forest Service and Bureau of Land Management ownership. Should archeological artifacts be unearthed during construction, we recommend that work stop and the discovery be reported to:

Montana Historical Society  
Historic Preservation Office  
1410 8<sup>th</sup> Avenue; P.O. Box 201202  
Helena, MT 59620  
(406) 444-7715

- \* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.
- \*\* Include a narrative description addressing the items identified in 12.8.604-1a (ARM)
- \*\*\* Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.
- \*\*\*\* Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

## SIGNIFICANCE CRITERIA

13. SUMMARY EVALUATION OF SIGNIFICANCE	IMPACT *				Can Impact Be Mitigated *	Comment Index
	Unknown *	None	Minor *	Potentially Significant		
Will the proposed action, considered as a whole:						
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources that create a significant effect when considered together or in total.)		X				
b. Involve potential risks or adverse effects which are uncertain but extremely hazardous if they were to occur?				X	YES	13(b)
c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard or formal plan?		X				
d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed?		X				
e. Generate substantial debate or controversy about the nature of the impacts that would be created?			X		YES	13(e)

**Narrative Description and Evaluation of the Cumulative and Secondary Effects on Water Resources (Attach additional pages of narrative if needed):**

13b. **Proposed Action:** Domestic elk may carry or become infected with several diseases that could threaten wildlife. Similarly, wildlife may infect domestic elk with either diseases or parasites. Tuberculosis and chronic wasting disease are the most well known diseases effecting the game farm industry at this time. Currently in Montana, all game farm animals that die or are killed are subject to mandatory testing for chronic wasting disease. A quarantine facility approved by the Montana Department of Livestock is a prerequisite to a game farm license in Montana. Game farm animal health and movement are regulated by the Montana Department of Livestock; licenses issued for game farms are contingent on the owner meeting all requirements of both agencies.

Spread of contagious diseases has the potential to affect humans by direct exposure to a particular disease or by reducing the number of wild animals available for hunting or viewing.

**No Action:** No impact.

13e. **Proposed Action:** Game farms and potential impacts to wildlife are a current source of debate in Montana and wherever else they occur. Disease, ingress/egress, genetic contamination, theft of wildlife and the ethics of shooting captive animals are all sources of intense debate. Game farms are particularly controversial when they consume large blocks of occupied wildlife habitat or block avenues of migration. FWP is required under the laws of the State of Montana to create rules that reasonably govern both game farms and the wildlife resource.

**No Action:** No impact.

\* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.

Include a narrative description addressing the items identified in 12.8.604-1a (ARM)  
Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

\*\*\*\* Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

## **PART II. ENVIRONMENTAL REVIEW, CONTINUED**

2. Description and analysis of reasonable alternatives (including the no action alternative) to the proposed action whenever alternatives are reasonably available and prudent to consider and a discussion of how the alternatives would be implemented:

No action alternative: Under this alternative, FWP would not issue a license to expand the existing game farm as proposed. The site would be used for livestock production and to service the existing game farm facility.

3. Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency:

Three stipulations to the original game farm license issued in 1993 will apply to the expansion. They are:

1. Perimeter fences must be 9 feet in height. This stipulation may be waived provided no deer are placed in the expansion pens.
2. Feed bunks and water troughs must be elevated.
3. If runoff occurs beyond exterior fencing, soil berms must be constructed to control such run-off and effluent transport.

## **PART III. NARRATIVE EVALUATION AND COMMENT**

### **PART IV. EA CONCLUSION SECTION**

1. Based on the significance criteria evaluated in this EA, is an EIS required (YES/NO)? If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action.

Based on the significance criteria evaluated herein, which identified no significant impacts, an EA is the appropriate level of review and an EIS is not required.

2. Describe the level of public involvement for this project if any and, given the complexity and the seriousness of the environmental issues associated with the proposed action, is the level of public involvement appropriate under the circumstances?

A draft Environmental Assessment will be mailed to individuals or organizations who have expressed an interest in prior game farm projects in southwest Montana. A legal notice detailing the proposal and comment period will be placed in *The Montana Standard* for a one-week period. Verbal comments to the individuals listed below will also be accepted.



3. Duration of comment period, if any.

30 days, December 15, 1999 through January 13, 2000.

4. Name, title, address and phone number of the person(s) responsible for preparing the EA:

Craig Fager  
Wildlife Biologist  
1820 Meadowlark Lane  
Butte, MT 59701  
406-494-2082

Chad Murphy  
Game Warden  
P.O. Box 874  
Whitehall, MT 59759  
406-287-5597

Tim Feldner  
Manager, Commercial Wildlife Permitting Program  
P.O. Box 200701  
Helena, MT 59620-0701  
406-444-4039